



7th Annual Meeting of the Commission

23-27 January, The Hague, The Netherlands

COMM7-Prop05

<input checked="" type="checkbox"/> Amend	CMM 05-2016 on Commission Record of Fishing Vessels
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Submitted by: NEW ZEALAND

Summary of the proposal:

The New Zealand proposal is to amend paragraph 6 of CMM 05-2016 to add a footnote to explain what is meant by 'first entry'.

Our view is that as it is currently worded it is ambiguous and leaves open for interpretation as to what is meant by 'first entry'.

Objective of the proposal:

The objective of the amendment is to provide clarity on what is meant by 'first entry'.

Our interpretation is that it is meant to mean that only vessels which have not previously been listed on the Record of Fishing Vessels need to have been notified to the Executive Secretary 15 days prior to its first entry.

In the situation where vessels are already on the list from the previous year and where the details of the vessel have not changed then there isn't a need to have to provide 15 days' notice to the Executive Secretary.

To be filled out by the Secretariat:

Ref: COMM7-PROP05	Received on: 4 December 2018
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CMM 05-2019

Conservation and Management Measure for the establishment of the Commission Record of Vessels authorised to fish in the Convention Area

The Commission of the South Pacific Regional Fisheries Management Organisation;

RECALLING Article 27 (1)(a) of the Convention regarding the establishment of appropriate procedures for effective monitoring, control and surveillance of fishing and to ensure compliance with this Convention and the Conservation and Management Measures (CMMs) adopted by the Commission, including the establishment and maintenance of a Commission record of vessels authorised to fish in the Convention Area;

CONSIDERING that according to Article 1 (1)(h) of the Convention, “fishing vessel” means any vessel used or intended for fishing, including fish processing vessels, support ships, carrier vessels and any other vessel directly engaged in fishing operations;

TAKING INTO ACCOUNT the provisions of Articles 23 and 25 of the Convention, regarding Data collection, compilation and exchange and Flag State duties;

ADOPTS the following CMM in accordance with Articles 8 and 27 of the Convention:

1. The appropriate government authorities of Members and Cooperating Non-Contracting Parties (CNCP) shall only authorise fishing vessels flying their flag to fish in the Convention Area where they are able to exercise effectively their responsibilities in respect of such vessels under the Convention, including relevant CMMs adopted by the Commission, and in accordance with relevant international law.
2. Each Member and CNCP will take into account the history of fishing vessels and operators with respect to their compliance (or non-compliance) with relevant CMMs when considering whether or not to authorise a particular fishing vessel flying its flag to fish in the Convention Area. Members and CNCPs shall ensure that no authorisation to fish in the Convention Area is issued to a vessel included on any Regional Fisheries Management Organisation Illegal, Unreported and Unregulated (IUU) list.
3. Each Member or CNCP shall take necessary measures to ensure that vessels flying their flag and authorised to fish in the Convention Area have a sufficient level of ownership by citizens, residents or legal entities within its jurisdiction to allow enforcement action to be effectively taken against them.
4. Each Member and CNCP is to maintain a register of fishing vessels entitled to fly its flag and authorised to fish in the Convention Area.
5. Members and CNCPs are to collect and include for each vessel on its register of fishing vessels entitled to fly its flag and authorised to fish in the Convention area, the data described in Annex 1 of this Measure.
6. Members and CNCPs shall inform the Executive Secretary of the vessels flying their flag authorised to fish in the Convention Area at least 15 days previous to the first entry¹ of such vessels in the Convention Area. In doing so, Members or CNCP shall provide the Executive Secretary the vessels details, as indicated in Annex 1 of this Measure.

¹ ‘First Entry’ means the first time the authorised vessel has entered the SPRFMO Convention Area under its current flag.

7. Members and CNCP shall ensure that the data of the vessels flying their flag authorised to fish in the Convention Area is updated. Any modification regarding the vessel data shall be informed by the relevant Member or CNCP to the Executive Secretary within 15 days after such modification.
8. Members and CNCP shall inform the Executive Secretary when authorisations to fish in the Convention area are revoked, relinquished or otherwise no longer valid. This information shall be submitted immediately or in any case in no more than 3 days of the date of invalidity of the authorisation.
9. The Commission Record of Vessels shall include all the fishing vessels on Member's and CNCP's record authorised to fish in the Convention Area, including the data submitted by Members and CNCPs according to Annex 1 of this Measure.
10. The Executive Secretary shall maintain the Commission Record of Vessels authorised to fish in the Convention Area. A summary of the Record of Vessels shall be publicly available at the SPRFMO website, according to the provision of paragraph 6 of CMM 02-2018 (Data Standards).
11. The Record of Vessels shall indicate which of the authorised vessels have been actively fishing for each year. To this end each Member and CNCP participating in fishing activities in the Convention shall notify the Executive Secretary of the vessels that are actively fishing or engaged in transshipment in the Convention Area. In the case of vessels involved in the *Trachurus murphyi* fishery, this information shall be submitted within 20 days of the end of each month. For vessels involved in other fisheries within the Convention Area, this information shall be submitted on annual basis, within 30 days of the end of the year. The Executive Secretary shall maintain lists of the vessels so notified and will make them available on the SPRFMO website.
12. When a previously authorised vessel is no longer authorised by the Member or CNCP to fish within the Convention Area, such vessel shall not be deleted from the Record of Vessels, but labeled as "not currently authorised".
13. The Commission will review this CMM as required, to consider amendments to this measure to improve its effectiveness and to take into account, among others, the developments of the FAO Global Record initiative as relevant.

Annex 1

Standard for vessel data

1. Members and CNCP are to collect data on an un-aggregated (vessel by vessel) basis.
2. The following fields of data are to be collected, included on Member's and CNCP's authorised vessel records, and informed to the Executive Secretary, pursuant to paragraph 6 and 7 of this measure.
 - a) Current vessel flag (using the codes indicated in Annex 2);
 - b) Name of vessel;
 - c) Registration number;
 - d) International radio call sign (if any);
 - e) UVI (Unique Vessel Identifier)/IMO number (if issued)²;
 - f) Previous Names (if known);
 - g) Port of registry;
 - h) Previous flag (if any, and using the codes indicated in Annex 2);
 - i) Type of vessel (Use appropriate ISSCFV codes, Annex 10 of CMM 02-2018 (Data Standards));
 - j) Type of fishing method(s) (Use appropriate ISSCFG codes, Annex 9 of CMM 02-2018 (Data Standards));
 - k) Length;
 - l) Length type e.g. "LOA", "LBP";
 - m) Gross Tonnage – GT (to be provided as the preferred unit of tonnage);
 - n) Gross Register Tonnage – GRT (to be provided if GT not available; may also be provided in addition to GT);
 - o) Power of main engine(s) (kW);
 - p) Hold capacity (m³);
 - q) Freezer type (if applicable);
 - r) Number of freezers units (if applicable);
 - s) Freezing capacity (if applicable);
 - t) Vessel communication types and numbers (INMARSAT A, B and C numbers);
 - u) VMS system details (brand, model, features and identification);
 - v) Name of owner(s);
 - w) Address of owner(s);
 - x) Date of inclusion into the SPRFMO Record;
 - y) Vessel authorisation end date;
 - z) Vessel Authorisation Start Date;
 - aa) Good quality high resolution photographs of the vessel of appropriate brightness and contrast, no older than 5 years, which shall consist of:
 - one photograph not smaller than 12 x 7 cm showing the starboard side of the vessel displaying its full overall length and complete structural features;
 - one photograph not smaller than 12 x 7 cm showing the port side of the vessel displaying its full overall length and complete structural features;
 - one photograph not smaller than 12 x 7 cm showing the stern taken directly from astern.

² Effective 1 January 2016, Members and CNCPs shall ensure that all their fishing vessels flying their flag that are authorised to fish in the Convention Area and that are at least 100 GT or 100 GRT in size have IMO numbers issued to them.

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3. Each Member and CNCP shall, to the extent practicable, also provide to the Executive Secretary at the same time as submitting information in accordance with paragraph 2 of this Annex, the following additional information:
 - a) External markings (such as vessel name, registration number or international radio call sign);
 - b) Types of fish processing lines (if applicable);
 - c) When built;
 - d) Where built;
 - e) Moulded depth;
 - f) Beam;
 - g) Electronic equipment on board (i.e., radio, echo sounder, radar, net sonde);
 - h) Name of license owner(s) (if different from vessel owner);
 - i) Address of license owner(s) (if different from vessel owner);
 - j) Name of operator(s) (if different from vessel owner);
 - k) Address of operator(s) (if different from vessel owner);
 - l) Name of vessel master;
 - m) Nationality of vessel master;
 - n) Name of fishing master;
 - o) Nationality of fishing master.

 4. When Members and CNCPs provide the data indicated in paragraph 2 of this Annex, they will do so in accordance with the specifications and format prescribed in Annex 8 of CMM 02-2018 (Data Standards).

Annex 2

Flag codes

Australia	AUS	Italy	ITA
Austria	AUT	Korea	KOR
Belgium	BEL	Latvia	LVA
Belize	BLZ	Liberia	LBR
Bulgaria	BGR	Lithuania	LTU
Chile	CHL	Luxembourg	LUX
China	CHN	Malta	MLT
Colombia	COL	Netherlands	NLD
Cook Islands	COK	New Zealand	NZL
Croatia	HRV	Panama	PAN
Cuba	CUB	Peru	PER
Cyprus	CYP	Poland	POL
Czech Republic	CZE	Portugal	PRT
Denmark	DNK	Romania	ROU
Ecuador	ECU	Russian Federation	RUS
Estonia	EST	Slovakia	SVK
Faroe Islands	FRO	Slovenia	SVN
Finland	FIN	Spain	ESP
France	FRA	Sweden	SWE
Germany	DEU	Chinese Taipei	TWN
Greece	GRC	United Kingdom	GBR
Hungary	HUN	United States	USA
Ireland	IRL	Vanuatu	VUT